

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG

CHARLES ALEXANDER  
HUGHES, JR.,

Petitioner,

v.

Civil Action No. 3:06CV45

UNITED STATES OF AMERICA,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is now before the Court for consideration of the Report and Recommendation of Magistrate Judge James E. Seibert (Doc. No. 4), dated June 22, 2006, to which neither party filed objections. Pursuant to 28 U.S.C. § 636(b)(1), this Court conducted a de novo review of the above. As a result, the Court is of the opinion that the Magistrate Judge's Report and Recommendation (Doc. No. 4) should be, and is hereby, **ORDERED** adopted. Accordingly, the **Petition for Writ of Habeas Corpus by a Person in Federal Custody Pursuant to 28 U.S.C. § 2241 (Doc. No. 1 ) is DISMISSED WITH PREJUDICE.** It is further **ORDERED** that this action be and is hereby **STRICKEN** from the active docket of this Court.

It is so **ORDERED**.

The clerk is directed to transmit copies of this Order to the petitioner and all counsel of record.

**Dated** this 21<sup>st</sup> day of December, 2006.

ORDER ADOPTING REPORT AND RECOMMENDATION

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/s/ Irene M. Keeley  
IRENE M. KEELEY